

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 11, 2019

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Keith L. Williams

Case Number: 0980 2:14CR00022-RMP-1

Address of Offender: [REDACTED] Spokane, Washington 99208

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U. S. District Judge

Date of Original Sentence: October 6, 2015

Original Offense: Distribution of 5 Grams or More of Pure (Actual) Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii), and 18 U.S.C. § 2

Original Sentence: Prison - 57 Months; Type of Supervision: Supervised Release
TSR - 60 Months

Asst. U.S. Attorney: Patrick J. Cashman Date Supervision Commenced: August 24, 2018

Defense Attorney: Federal Public Defender Date Supervision Expires: August 23, 2023

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/08/2019, and 01/24/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

4

Mandatory Condition #3: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: Mr. Williams is alleged to have violated mandatory condition number 3 by ingesting cocaine on or about January 28, January 31, and February 8, 2019, based on a combination of positive urinalysis testing and the client's admission of such use.

On August 24, 2018, Mr. Keith Williams signed his conditions relative to case number 2:14CR00022-RMP-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Williams was made aware by his U.S. probation officer that he was required to refrain from the use of any illicit substance.

Specifically, on January 24, 2019, the client reported to the U.S. Probation Office in Spokane, and confirmed his last use of cocaine had occurred on or about January 22, 2019, and his last use of marijuana had actually occurred on or about January 19, 2019. Since the

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client's admitted conduct, the client has since provided urinalysis samples for testing on January 28, January 31, and most recently occurring on February 8, 2019, all of which have been confirmed by laboratory confirmation as being positive for both cocaine and marijuana, with the exception of the last date provided in which the client signed a drug use admission form admitting his recent use of cocaine on or about February 5, 2019.

It should be noted, with the exception of his admitted use of cocaine as previously occurring on or about February 5, 2019, the client has continued to indicate the remaining above results are in fact residual from his admitted use of cocaine previously occurring on January 22, 2019, a statement that would appear inaccurate based on the undersigned officer's training and experience. While some of the aforementioned testing could be residual, the facts appear to instead demonstrate a continued and wanton desire on the part of the client to use illicit substances. Mr. Williams himself acknowledged during his report to the U.S. Probation Office on February 8, 2019, that he is not at this time able to accurately describe a complete picture of his recent use.

On February 8, 2019, Mr. Williams reported to the U.S. Probation Office in Spokane, as directed. As a part of the discussion, Mr. Williams was confronted on any recent use of any illicit substances, to which the client admitted to using cocaine most recently on or about February 5, 2019. Mr. Williams denied using marijuana since his previously admitted use of the substance occurring on or about January 19, 2019. Mr. Williams then submitted to urinalysis testing, the results of which was presumptive positive for both cocaine and marijuana, consistent with the client's admissions of such use. Mr. Williams did subsequently sign a drug use admission form documenting his most recent use of cocaine occurring on or about February 5, 2019.

5 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Williams is alleged to have violated standard condition number 3 by failing to report to the U.S. Probation Office in Spokane, as directed on February 6, and February 7, 2019.

On August 24, 2018, Mr. Keith Williams signed his conditions relative to case number 2:14CR00022-RMP-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Williams was made aware by his U.S. probation officer that he was required to follow all instructions of the probation officer.

Specifically, on February 5, 2019, the undersigned officer left a voice mail on the client's given cell phone number directing the client to report to the U.S. Probation Office in Spokane, no later than 12 p.m. on February 6, 2019, after concern arose the client was not staying at his assigned residence. The undersigned officer did later receive a phone call from the client's sponsor advising the undersigned officer that the client was staying at the address; however, the client subsequently failed to report as directed on February 6, 2019, before 12 p.m.

On February 6, 2019, at 1:40 p.m., after the client failed to report as directed, the client was again left a voice mail and sent a text message directing him to report that date prior to 4 p.m. In addition, the client's sponsor was contacted and her assistance was requested in

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locating the client to which she committed. The client subsequently failed to report or contact this officer at any time on February 6, 2019, as required.

On February 7, 2019, the client and his sponsor were both left voice mails directing and requesting respectively, that the client report on the day in question prior to 4:00 p.m. A text message was also forwarded to the client directing the same. At 11:30 a.m. the client responded using text messaging indicating only "yes." The client would later commit using text messaging to report at 4:30 p.m., but was contacted telephonically at 4:40 p.m. at which time he stated that he was near Liberty Lake, Washington. The client was then directed to report on February 8, 2019, prior to 9:00 a.m., an obligation which the client later fulfilled, indicating that he had used cocaine on or about February 5, 2019, and had purchased a new cell phone but failed to advise the undersigned officer.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 11, 2019

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.



Signature of Judicial Officer

2/11/2019

Date